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CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES  
BY: \_\_\_\_\_

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Attorneys for Defendants HYLAND'S INC. and  
STANDARD HOMEOPATHIC COMPANY

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**CV13-7892** AB (VBK-x)

EDWARD SIMON, DC, INDIVIDUALLY  
AND ON BEHALF OF ALL OTHERS SIMILARLY  
SITUATED,

PLAINTIFF,

V.

HYLAND'S INC., A CALIFORNIA  
CORPORATION; STANDARD  
HOMEOPATHIC COMPANY, A NEVADA  
CORPORATION; AND HANDIT2  
NETWORK, LLC, A COLORADO LIMITED  
LIABILITY COMPANY; AND DOES 1  
THROUGH 1,000, INCLUSIVE,

DEFENDANTS.

CASE No: \_\_\_\_\_

**DEFENDANTS HYLAND'S INC.'S AND  
STANDARD HOMEOPATHIC  
COMPANY'S NOTICE OF REMOVAL  
PURSUANT TO 28 U.S.C. § 1441**

**[FEDERAL QUESTION  
JURISDICTION]**

**Removed from the Superior Court of  
California, County of Los Angeles**

CASE FILED: SEPTEMBER 20, 2013

STATE COURT JUDGE: HON. JANE JOHNSON  
STATE COURT DEPT.: 308

**TO THE CLERK OF THE UNITED STATES DISTRICT COURT FOR  
THE CENTRAL DISTRICT OF CALIFORNIA:**

**PLEASE TAKE NOTICE** that Defendants Hyland, Inc. and Standard Homeopathic Company (collectively referred to as “Defendants”), pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, hereby remove Case No. BC522134, filed in the Superior Court of the State of California for the County of Los Angeles (the “Action”), and all claims and causes of action therein, to the United States District Court for the Central District of California. As grounds for removal, this Court has original jurisdiction over this matter under 28 U.S.C. § 1331 because the action asserts claims under the TCPA and the JFPA, which “aris[es] under” the “laws . . . of the United States.” *See Mims v. Arrow Fin. Servs., LLC*, 132 S. Ct. 740, 742 (2012), and that all the claims and causes of action in the matter may be removed to this Court under 28 U.S.C. §§ 1441 and 1446.

**I. STATE COURT ACTION**

On September 20, 2013 Plaintiff Edward Simon, DC (“Plaintiff”) filed a class action complaint (the “Complaint”) against Defendants, Handit2 Network LLC, and Does 1 through 100, inclusive, which commenced the Action in the Superior Court of the State of California for the County of Los Angeles. The Complaint contains purported causes of action for violations of the Junk Fax Prevention Act (47 U.S.C. § 227 and 47 C.F.R. § 64.1200).

Plaintiff served the Complaint on Defendants on September 27, 2013. True and correct copies of the pleadings filed in Case No. BC522134 in the Superior Court of the State of California for the County of Los Angeles are attached to the Declaration of Archana Acharya as Exhibit 1, filed concurrently herewith.

No motions or other proceedings are currently pending in the Superior Court.

**II. GROUNDS FOR REMOVAL**

**A. Timeliness, Venue, and Notice**

This Notice of Removal is timely under 28 U.S.C. § 1446(b) because Plaintiff served the Complaint on Defendants on September 27, 2013, and therefore, Defendants

1 have until October 27, 2013 to respond to the Complaint. Because October 27, 2013 falls  
 2 on a Sunday, Defendants' responsive pleading is due the following court day.

3 Venue is proper under 28 U.S.C. § 1446(a), which provides for removal of any  
 4 civil action to the federal district court for the district and division embracing the place  
 5 where the action is pending. Venue lies in the United States District Court for the Central  
 6 District of California, pursuant to 28 U.S.C. §§ 1391 and 1441(a), because the Action  
 7 was filed within this district, and this is the district in which a substantial part of the  
 8 events or omissions giving rise to the purported claims occurred.

9 Defendants are filing with the Clerk of the State Court in which the Action is  
 10 currently pending a Notice to State Court and Adverse Parties of Removal, together with  
 11 this Notice of Removal and supporting documents, pursuant to 28 U.S.C. § 1446(d).  
 12 Copies of the Notice to State Court and Adverse Parties of Removal together with this  
 13 Notice of Removal are being served on Plaintiff pursuant to 28 U.S.C. § 1446(d).

#### 14 **B. Federal Question Jurisdiction**

15 This Court has original jurisdiction over the Action pursuant to 28 U.S.C. § 1331  
 16 because: the action asserts claims under the JFPA – specifically (47 U.S.C. § 227 and 47  
 17 C.F.R. § 64.1200), which “aris[es] under” the “laws . . . of the United States.” *See Mims*  
 18 *v. Arrow Fin. Servs., LLC*, 132 S. Ct. 740, 742 (2012).

### 19 **III. CONCLUSION**

20 Due to the foregoing, Defendants have met the requirements for removal of this  
 21 Action under 28 U.S.C. § 1331, 1441, and 1446, and, accordingly, the case must now be  
 22 removed to this Court.

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1 This Notice of Removal is filed subject to and with full reservation of rights. No  
2 admission of fact, law or liability is intended by this Notice of Removal, and all defenses,  
3 motions, and pleas are expressly reserved.

4  
5 DATE: OCTOBER 25, 2013

**FOLEY & LARDNER LLP**  
TAMI S. SMASON  
ARCHANA R. ACHARYA

6  
7  
8  
9 By: 

ARCHANA R. ACHARYA  
Attorneys for Defendants HYLAND'S INC.  
and STANDARD HOMEOPATHIC  
COMPANY

PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to this action; my current business address is 555 South Flower Street, Suite 3500, Los Angeles, CA 90071-2411.

On October 25, 2013, I served the foregoing document(s) described as: **DEFENDANTS HYLAND'S INC.'S AND STANDARD HOMEOPATHIC COMPANY'S NOTICE OF REMOVAL** on the interested parties in this action as follows:

Scott Z. Zimmerman  
Law Offices of Scott Z. Zimmerman  
601 S. Figueroa Street, Suite 2610  
Los Angeles, CA 90017  
Telephone: 213.452.6509  
Facsimile: 213.622.2171  
*Attorneys for Plaintiff*

C. Darryl Cordero  
Payne & Fears LLP  
801 S. Figueroa Street, Suite 1150  
Los Angeles, CA 90017  
Telephone: 213.439.9911  
Facsimile: 213.439.9922  
*Attorneys for Plaintiff*

X BY MAIL

X I am readily familiar with the firm's practice of collection and processing correspondence for mailing with the United States Postal Service; the firm deposits the collected correspondence with the United States Postal Service that same day, in the ordinary course of business, with postage thereon fully prepaid, at Los Angeles, California. I placed the envelope(s) for collection and mailing on the above date following ordinary business practices.

X Executed on October 25, 2013, at Los Angeles, California.

X I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

X I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

  
\_\_\_\_\_  
David Miller

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

NOTICE OF ASSIGNMENT TO UNITED STATES JUDGES

This case has been assigned to District Judge Audrey B. Collins and the assigned Magistrate Judge is Victor B. Kenton.

The case number on all documents filed with the Court should read as follows:

2:13CV7892 ABC VBKx

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge.

Clerk, U. S. District Court

October 25, 2013

Date

By J.Prado

Deputy Clerk

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NOTICE TO COUNSEL

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

**Subsequent documents must be filed at the following location:**

☒ Western Division  
312 N. Spring Street, G-8  
Los Angeles, CA 90012

☐ Southern Division  
411 West Fourth St., Ste 1053  
Santa Ana, CA 92701

☐ Eastern Division  
3470 Twelfth Street, Room 134  
Riverside, CA 92501

**Failure to file at the proper location will result in your documents being returned to you.**

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEETI. (a) PLAINTIFFS ( Check box if you are representing yourself ☐ )  
EDWARD SIMON, DCDEFENDANTS ( Check box if you are representing yourself ☐ )  
HYLAND'S INC.; STANDARD HOMEOPATHIC COMPANY; an  
HANDIT2 NETWORK, LLC

(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same information.)

(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same information.)

Tami S. Smason, CA Bar No. 120213  
Archana R. Acharya, CA Bar No. 272989  
Foley & Lardner LLP  
555 S. Flower Street, Suite 3500  
Los Angeles, CA 90071-2411

## II. BASIS OF JURISDICTION (Place an X in one box only.)

- ☐ 1. U.S. Government Plaintiff
- ☒ 3. Federal Question (U.S. Government Not a Party)
- ☐ 2. U.S. Government Defendant
- ☐ 4. Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES-For Diversity Cases Only  
(Place an X in one box for plaintiff and one for defendant)

- |   |   |                                |   |                                |   |
|---|---|--------------------------------|---|--------------------------------|---|
| Citizen of This State                   | PTF <input checked="" type="checkbox"/> 1 | DEF <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in this State     | PTF <input type="checkbox"/> 4 | DEF <input checked="" type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2                | <input type="checkbox"/> 2     | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5     | <input checked="" type="checkbox"/> 5     |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3                | <input type="checkbox"/> 3     | Foreign Nation  | <input type="checkbox"/> 6     | <input type="checkbox"/> 6                |

## IV. ORIGIN (Place an X in one box only.)

- ☐ 1. Original Proceeding
- ☒ 2. Removed from State Court
- ☐ 3. Remanded from Appellate Court
- ☐ 4. Reinstated or Reopened
- ☐ 5. Transferred from Another District (Specify)
- ☐ 6. Multi-District Litigation

V. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check "Yes" only if demanded in complaint.)CLASS ACTION under F.R.Cv.P. 23: ☒ Yes ☐ No☒ MONEY DEMANDED IN COMPLAINT: \$ 1,000,000+VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)  
Violations of the Junk Fax Prevention Act (47 U.S.C. 227 and 47 C.F.R. 64.1200)

## VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES	CONTRACT	REAL PROPERTY CONT.	IMMIGRATION	PRISONER PETITIONS	PROPERTY RIGHTS
<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/Etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org. <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input checked="" type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Admin. Procedures Act/Review of Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes	<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.) <input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise <b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property <b>TORTS</b> <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions <b>TORTS</b> <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability <b>BANKRUPTCY</b> <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 American with Disabilities-Employment <input type="checkbox"/> 446 American with Disabilities-Other <input type="checkbox"/> 448 Education	<b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee Conditions of Confinement <b>FORFEITURE/PENALTY</b> <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Ret. Inc. Security Act	<input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405 (g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405 (g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609

FOR OFFICE USE ONLY:

Case Number:

CV13-7892

COPY



## CIVIL COVER SHEET

**VIM. VENUE:** Your answers to the questions below will determine the division of the Court to which this case will most likely be initially assigned. This initial assignment is subject to change, in accordance with the Court's General Orders, upon review by the Court of your Complaint or Notice of Removal.

Question A: Was this case removed from state court?	STATE CASE WAS PENDING IN THE COUNTY OF:	INITIAL DIVISION IN CACD IS:
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Los Angeles	Western
If "no," go to Question B. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	Western
	<input type="checkbox"/> Orange	Southern
	<input type="checkbox"/> Riverside or San Bernardino	Eastern

Question B: Is the United States, or one of its agencies or employees, a party to this action?	If the United States, or one of its agencies or employees, is a party, is it:		INITIAL DIVISION IN CACD IS:
	A PLAINTIFF? Then check the box below for the county in which the majority of DEFENDANTS reside.	A DEFENDANT? Then check the box below for the county in which the majority of PLAINTIFFS reside.	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Los Angeles	<input type="checkbox"/> Los Angeles	Western
If "no," go to Question C. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	Western
	<input type="checkbox"/> Orange	<input type="checkbox"/> Orange	Southern
	<input type="checkbox"/> Riverside or San Bernardino	<input type="checkbox"/> Riverside or San Bernardino	Eastern
	<input type="checkbox"/> Other	<input type="checkbox"/> Other	Western

Question C: Location of plaintiffs, defendants, and claims?	A. Los Angeles County	B. Ventura, Santa Barbara, or San Luis Obispo Counties	C. Orange County	D. Riverside or San Bernardino Counties	E. Outside the Central District of California	F. Other
Indicate the location in which a majority of plaintiffs reside:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indicate the location in which a majority of defendants reside:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Indicate the location in which a majority of claims arose:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>C.1. Is either of the following true? If so, check the one that applies:</b> <input type="checkbox"/> 2 or more answers in Column C <input type="checkbox"/> only 1 answer in Column C and no answers in Column D  Your case will initially be assigned to the SOUTHERN DIVISION. Enter "Southern" in response to Question D, below.  If none applies, answer question C2 to the right. →	<b>C.2. Is either of the following true? If so, check the one that applies:</b> <input type="checkbox"/> 2 or more answers in Column D <input type="checkbox"/> only 1 answer in Column D and no answers in Column C  Your case will initially be assigned to the EASTERN DIVISION. Enter "Eastern" in response to Question D, below.  If none applies, go to the box below. ↓
Your case will initially be assigned to the WESTERN DIVISION. Enter "Western" in response to Question D below.	

Question D: Initial Division?	INITIAL DIVISION IN CACD
Enter the initial division determined by Question A, B, or C above: →	WESTERN DIVISION



## UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA

## CIVIL COVER SHEET

**IX(a). IDENTICAL CASES:** Has this action been previously filed in this court and dismissed, remanded or closed? ☒ NO ☐ YES

If yes, list case number(s): \_\_\_\_\_

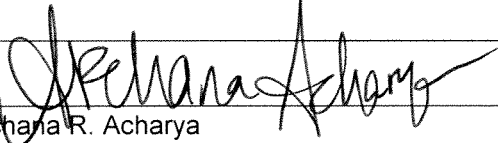
**IX(b). RELATED CASES:** Have any cases been previously filed in this court that are related to the present case? ☒ NO ☐ YES

If yes, list case number(s): \_\_\_\_\_

**Civil cases are deemed related if a previously filed case and the present case:**

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or  
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or  
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or  
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

**X. SIGNATURE OF ATTORNEY  
(OR SELF-REPRESENTED LITIGANT):**

  
 Archana R. Acharya

DATE: October 25, 2013

**Notice to Counsel/Parties:** The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet).

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405 (g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))



PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to this action; my current business address is 555 South Flower Street, Suite 3500, Los Angeles, CA 90071-2411.

On October 25, 2013, I served the foregoing document(s) described as: **CIVIL COVER SHEET** on the interested parties in this action as follows:

Scott Z. Zimmerman  
Law Offices of Scott Z. Zimmerman  
601 S. Figueroa Street, Suite 2610  
Los Angeles, CA 90017  
Telephone: 213.452.6509  
Facsimile: 213.622.2171  
*Attorneys for Plaintiff*

C. Darryl Cordero  
Payne & Fears LLP  
801 S. Figueroa Street, Suite 1150  
Los Angeles, CA 90017  
Telephone: 213.439.9911  
Facsimile: 213.439.9922  
*Attorneys for Plaintiff*

X BY MAIL

X I am readily familiar with the firm's practice of collection and processing correspondence for mailing with the United States Postal Service; the firm deposits the collected correspondence with the United States Postal Service that same day, in the ordinary course of business, with postage thereon fully prepaid, at Los Angeles, California. I placed the envelope(s) for collection and mailing on the above date following ordinary business practices.

X Executed on October 25, 2013, at Los Angeles, California.

X I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

X I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

  
David Miller